

STATE OF INDIANA )

) SS:

COUNTY OF MARION )

BEFORE THE INDIANA

COMMISSIONER OF INSURANCE

CAUSE NUMBER: 10743-AG12-0109-003

Roy Allen Gray,  
Agent / Respondent

312 N. Nicole Lane  
Scottsburg, Indiana 47170

Type of Agency Action: Enforcement

**FILED**

JAN 30 2012

STATE OF INDIANA  
DEPT. OF INSURANCE

Indiana Insurance License No.: 382860

**FINAL ORDER AND APPROVAL**

The Indiana Department of Insurance ("Department") and Roy Allen Gray, ("Respondent"), signed an Agreed Entry which purports to resolve all issues involved in the action by the Department regarding Respondent's license, and which has been submitted to the Commissioner of Insurance (the "Commissioner") for approval.


The Commissioner, after reviewing the Agreed Entry, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Respondent improperly withheld and misappropriated monies received in the course of doing insurance business.

2. Respondent used dishonest practices and demonstrated untrustworthiness in the conduct of business in Indiana.
3. Respondent's Indiana resident producer's license, number 382860, is Permanently Revoked.

ALL OF WHICH IS ORDERED this 30<sup>th</sup> day of January, 2012

  
Stephen W. Robertson, Commissioner,  
Indiana Department of Insurance

Distribution:

Nikolas P. Mann  
**INDIANA DEPARTMENT OF INSURANCE**  
311 West Washington Street, Suite 103  
Indianapolis, Indiana 46204-2787

Roy Allen Gray  
312 N. Nicole Lane  
Scottsburg, Indiana 47170

STATE OF INDIANA     )  
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STATE OF INDIANA  
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**AGREED ENTRY**

This Agreed Entry is entered into by Nikolas P. Mann, attorney for and on behalf of the State of Indiana, Department of Insurance ("Department"), and Roy Allen Gray ("Respondent"), a licensed Indiana resident insurance producer holding license number 382860, to resolve all matters under Cause Number 10743-AG12-0109-003. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner, Indiana Department of Insurance.

WHEREAS, Respondent is a licensed resident insurance producer in the State of Indiana; and

WHEREAS, on or about September 7, 2011, a formal notice of termination of appointments for the Respondent was received by the Department from Wes Fallis, an Agency Administration Manager with Farmers Insurance Group. The notice also stated that a recent audit revealed that Respondent mishandled premiums belonging to the company; and

WHEREAS, on October 28, 2011, Department Investigator Mike Herndon received an e-mail response from Susan L. Barnett, an Auditing Specialist, Farmers Insurance Group, which stated subsequent to the Respondent's termination, four cash premium payments totaling six hundred thirty six dollars thirty six cents (\$636.36) were identified as unremitted to Farmers Insurance. Additionally, another customer provided a cash premium receipt for seven hundred ninety two dollars (\$792) of which only six hundred seventy seven dollars sixty two cents (\$677.62) was applied to the insured's policy in six partial payments from July 2010 to February 2011; and

WHEREAS, the Department and Respondent desire to resolve their differences and settle the issues without a hearing;

IT IS, THEREFORE, NOW AGREED by and between the parties as follows:

1. The Commissioner has jurisdiction over the subject matter and Respondent in this administrative action.
2. This Agreed Entry is executed voluntarily by the parties.
3. Respondent voluntarily and freely waives his right to a public hearing on the issues in this action.
4. Respondent improperly withheld and misappropriated monies received in the course of doing insurance business.
5. Respondent used dishonest practices and demonstrated untrustworthiness in the conduct of business in Indiana.
6. Respondent agrees to the permanent revocation of his Indiana resident insurance producer license number 382860.
7. The Department agrees to accept Respondent's compliance with the terms of this Agreed Entry as full resolution of this matter.

8. Should this Agreed Entry not be accepted by the Commissioner, it is agreed that presentation to and consideration of this Agreed Entry by the Commissioner shall not unfairly or illegally prejudice the Commissioner from further participation in or resolution of these proceedings.
9. Respondent has carefully read this agreement and fully understands and accepts its terms.

1/27/12  
Date Signed

Nikolas P. Mann  
Nikolas P. Mann, Attorney  
Indiana Department of Insurance

1/23/2012  
Date Signed

Roy Allen Gray  
Roy Allen Gray, Respondent

STATE OF INDIANA )  
COUNTY OF Scott ) SS:

Before me a Notary Public for Scott County, State of Indiana, personally appeared Roy Allen Gray and being first duly sworn by me upon his oath, states that the facts alleged in the foregoing instrument are true. Signed and sealed this 23<sup>rd</sup> day of January, 2012.

Paula J. Everhart  
Notary Signature

Paula J. Everhart  
Notary Name Printed

My Commission expires: 8-17-19

County of Residence: Scott

INDIANA DEPARTMENT OF INSURANCE

Enforcement Division

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